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EXAMINER	
CHOJNACKI, MELLISSA M	
ART UNIT	**PAPER NUMBER**
2164	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/021,255	PLATT ET AL.	
	Examiner	Art Unit	
	Mellissa M. Chojnacki	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41 and 47-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-41, 47-49 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. In response to communications filed on May 19, 2005, claims 1-21, 23-36 and 38-39 have been amended, claims 47-49 have been added therefore, claims 1-41 and 47-49 are presently pending in the application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 47 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 47 recites the limitation "the threshold is an adaptive threshold", which renders the claim vague and indefinite, because it is unclear as to what "adaptive threshold" signifies in the claim.

Allowable Subject Matter

4. Claim 47 is allowed, pending 35 USC 112 rejection is overcome.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-9, 12-26, 29-34 and 48-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Bhandari et al. (U.S. Patent No. 5,865,464).

As to claim 1, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

detecting attributes of the captured media object indicated in metadata for the media object (See column 4, lines 30-37; column 6, lines 4-20);

identifying media objects stored in the database that are related to the captured media object (See column 4, lines 30-37; column 6, lines 1-8);

inferring organization information for the captured media object based upon information obtained from each of the stored media objects that are related to the captured media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41),

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claims 2 and 19, Bhandari et al. teaches wherein the detecting step comprises:

detecting attributes of the captured media object generated when the media object was captured (See column 4, lines 26-37; column 6, lines 4-20).

As to claims 3 and 20, Bhandari et al. teaches assigning at least one attribute to the metadata for the captured media object prior to storing the captured media object (See column 4, lines 30-37, where "storing" is read on "processed"; and see column 6, lines 16-20).

As to claims 4 and 21, Bhandari et al. teaches assigning at least one attribute to the metadata for the captured media object based upon the inferred organization information (See column 5, lines 52-58, where "inference" is read on "tag").

As to claims 5 and 22, Bhandari et al. teaches detecting common features of the stored media objects (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

identifying the stored media objects that have common features (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17); and

eliminating the stored media objects that are not identified prior to inferring the organization information (See column 7, lines 6-12; lines 36-41).

As to claims 6 and 23, Bhandari et al. teaches adding information to the attributes of the metadata of the captured media object based upon the common features of the stored captured media objects (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17).

As to claims 7-8, 24 and 25, Bhandari et al. teaches adding information to the metadata of the captured media object indicating that the organization information for the captured media object was determined based upon an inference (See column 4, lines 30-37; column 5, lines 53-58; column 6, lines 1-8; lines 62-63; column 10, lines 12-17).

As to claim 9, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

determining attributes of the captured media object indicated in metadata for the captured media object (See column 4, lines 30-37; column 6, lines 4-20);

determining a date on which the captured media object was captured, wherein the date comprises one of the attributes of the captured media object (See column 4, lines 30-37, where "date" is read on "when image was taken"; and see column 6, lines 1-8);

comparing the date with threshold date information (See column 6, lines 62-67; column 7, lines 1-5);

identifying media objects stored in the database that are related to the captured media object based upon the comparison (See column 4, lines 30-37; column 6, lines 1-8);

inferring organization information for the captured media object based upon information, obtained from each of the stored media objects related to the captured media object, and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 16-24, where "inferring organization information" is read on "frame"; and see lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 12, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

detecting attributes of the captured media object indicated in metadata for the captured media object (See column 4, lines 30-37; column 6, lines 4-20);

performing an inexact search of the database based upon at least one of the attributes of the captured media object to identify media objects stored in the database that are related to the captured media object (See column 4, lines 30-37; column 6, lines 1-8; column 7, lines 36-41);

inferring organization information for the captured media object based upon information obtained from each of the stored captured media objects that are related to the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame", lines 22-25, lines 40-41); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claims 13 and 30, Bhandari et al. as modified, teaches wherein the inexact logic search step comprises:

performing an inexact search of the database based upon a date on which the captured media object was captured, wherein the date comprises one of the attributes of the captured media object (See Bhandari et al., column 4, lines 30-37; column 6, lines 16-25; column 7, lines 36-41).

As to claims 14 and 31, Bhandari et al. as modified, teaches wherein the inexact logic search step comprises:

performing an inexact search of the database based upon a location at which the captured media object was captured, wherein the location comprises one of the attributes of the captured media object (See Bhandari et al., column 2, lines 21-22; column 4, lines 30-37; column 5, lines 19-21; column 6, lines 16-25; column 7, lines 36-41).

As to claim 15, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

comparing the captured media object with media objects that are stored in the database (See column 6, lines 62-63; column 10, lines 12-14, where "feature" is read on "object description");

identifying the stored media objects in the database that include features in common with the captured media object (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching");

inferring organization information for the captured media object based upon information, obtained from each of the media objects including features in common with the captured media object, representing organization in the database (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41).

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 16, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

identifying a feature of the captured media object (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight");

comparing the feature of the captured media object with stored media objects that are stored in the database (See column 6, lines 62-63; column 10, lines 12-14, where "feature" is read on "object description");

identifying the stored media objects having the feature (See column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

inferring organization information for the captured media object based upon information obtained from each of the stored media objects having the feature found in the captured media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41); wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 17, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

identifying a feature of the captured media object (See column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight");

performing an inexact search to detect stored media objects that are stored in the database having the feature identified in the captured media object (See column 4, lines 30-37; column 6, lines 4-20);

identifying the media objects having the feature identified in the captured media object (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where

"identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

inferring organization information for the captured media object based upon in formation obtained from each of the stored media objects having the feature identified in the captured media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 18, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

detecting attributes of the captured media object indicated in metadata for the captured media object (See column 4, lines 30-37; column 6, lines 4-20);

identifying media objects stored in the database that are related to the captured media object (See column 4, lines 30-37; column 6, lines 1-8);

inferring organization information for the captured media object based upon information obtained from each of the stored captured media objects that are related to the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 26, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

determining attributes of the captured media object indicated in metadata for the captured media object (See column 4, lines 30-37, where "attributes" is read on "description"; and see column 6, lines 1-8);

determining the date on which the captured media object was captured, wherein the date comprises one of the attributes of the captured media object (See column 4, lines 30-37, where "attributes" is read on "description"; and see column 6, lines 1-8);

comparing the date with threshold date information (See column 6, lines 62-67; column 7, lines 1-5);

identifying stored captured media objects stored in the database that are related to the media object based upon the comparison (See column 4, lines 30-37; column 6, lines 1-8);

inferring organization information for the captured media object based upon information obtained from each of the stored media objects related to the captured media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 29, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

detecting attributes of the captured media object indicated in metadata for the media object (See column 4, lines 30-37; column 6, lines 4-20);

performing an inexact search of the database based upon at least one of the attributes of the captured media object to identify stored media objects stored in the database that are related to the captured media object (See column 4, lines 30-37; column 6, lines 1-8; column 7, lines 36-41);

inferring organization information for the captured media object based upon information obtained from each of the stored media objects that are related to the captured media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 32, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

comparing the captured media object with stored media objects that are stored in the database (See column 6, lines 62-63, where "comparing" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

identifying the stored captured media objects in the database that include features in common with the captured media object (See column 4, lines 30-37; column 6, lines 1-8; column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

inferring organization information for the captured media object based upon information obtained from each of the media objects including features in common with

the captured media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 33, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

identifying a feature of the captured media object (See column 4, lines 30-37; column 6, lines 1-8);

comparing the feature of the captured media object with stored media objects that are stored in the database (See column 6, lines 62-63, where "comparing" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

identifying the stored captured media objects having the feature found in the captured media object (See column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

inferring organization information for the captured media object based upon information obtained from each of the stored captured media objects having the feature found in the media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 34, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

identifying a feature of the captured media object (See column 4, lines 30-37; column 6, lines 1-8);

performing an inexact search to detect stored media objects that are stored in the database having the feature identified in the media object (See column 4, lines 30-37; column 6, lines 1-8; lines 4-20; column 7, lines 36-41);

identifying the stored captured media objects having the feature identified in the captured media object (See column 6, lines 62-63, where "identifying" is read on "matching" and where "feature" is read on "role matches" and " weight"; and see column 10, lines 12-17);

inferring organization information for the captured media object based upon information obtained from each of the stored media objects having the feature identified in the captured media object (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

As to claim 48, Bhandari et al. wherein the threshold is a temporal designation and the group of stored media objects is a collection (See column 5, lines 46-58, where "collection" is read on "category").

As to claim 49, Bhandari et al. teaches method of organizing media objects in a database (See abstract), comprising:

capturing a media object See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

identifying media objects stored in a database that are related to the captured media object (See column 6, lines 62-63, where "identifying" is read on "matching"; see column 10, lines 12-17);

obtaining information from each of the stored media objects captured media object (See column 6, lines 16-24);

that are related to the determining where the captured media object is to be stored with respect to the stored media objects that are related to the captured media object based upon the obtained information (See column 6, lines 54-67; column 7, lines 1-5); and

storing the captured media object in the database (See abstract; column 5, lines 46-58).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 10, 27, and 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhandari et al. (U.S. Patent No. 5,865,464), in view of publication, "Software System for Automatic Albuming of Consumer Pictures," by Loiu et al. published by ACM Multimedia Conference, 1999 (hereinafter, Loui et al., '99)

As to claim 10, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

determining attributes of the captured media object indicated in the metadata for the captured media object (See column 4, lines 30-37; column 6, lines 4-20);

determining a date on which the captured media object was captured, wherein the date comprises one of the attributes of the captured media object (See column 4, lines 30-37; column 6, lines 1-8);

inferring organization information for the captured media object based upon the comparison (See column 6, lines 16-24, where "inferring organization information" is read on "frame", and see lines 22-25, lines 40-41); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

Bhandari et al. does not teach comparing the date on which the media object was captured with entries in a date book.

Loui et al., '99, teaches a software system for automatic albuming of consumer pictures (See abstract), in which he teaches comparing the date on which the media object was captured with entries in a date book (See page 160, section 2, lines 1-7, where "date book" is read on "comprehensive chronicle", lines 15-16; section 2.1, lines 3-7).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include comparing the date on which the media object was captured with entries in a date book.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al., '99, because comparing the date on which the media object was captured with entries in a date book would create and develop a software system or application to enable the automatic organization and albuming of consumer images (See Loui et al., '99, page 159, motivation section, lines 37-39).

As to claim 27, Bhandari et al. teaches a computer-readable medium having computer-executable instructions (See column 2, lines 40-44, where "computer-executable instructions" is read on "computer program") for performing the steps of

capturing a media object (See column 3, lines 26-29; column 4, lines 4-9, lines 26-29, where "capturing a media object" is read on "images are input");

determining attributes of the captured media object indicated in the metadata for the captured media object (See column 4, lines 30-37; column 6, lines 4-20);

determining the date on which the captured media object was capture, wherein the date comprises one of the attributes of the captured media object (See column 4, lines 30-37, where "attributes" is read on "description"; column 6, lines 1-8);

inferring organization information for the captured media object based upon the comparison (See column 6, lines 16-24, where "inferring organization information" is read on "frame"); and

organizing the captured media object in the database based upon the inferred organization information (See column 6, lines 22-25, lines 40-41);

wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds a threshold (See column 6, lines 54-67; column 7, lines 1-5),

wherein the step of inferring includes a step of determining into which group of stored media objects to store the captured media object (See column 5, lines 46-58, where "group" is read on "category").

Bhandari et al. does not teach comparing the date on which the media object was captured with entries in a date book.

Loui et al., '99, teaches a software system for automatic albuming of consumer pictures (See abstract), in which he teaches comparing the date on which the media object was captured with entries in a date book (See page 160, section 2, lines 1-7, where "date book" is read on "comprehensive chronicle", lines 15-16; section 2.1, lines 3-7).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include comparing the date on which the media object was captured with entries in a date book.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al., '99, because comparing the date on which the media object was captured with entries in a date book would create and develop a software system or application to enable the automatic organization and albuming of consumer images (See Loui et al., '99, page 159, motivation section, lines 37-39).

As to claim 35, Bhandari et al. teaches a method of organizing media objects in a database (See column 2, lines 50-59, where "organizing media objects" is read on "'smart' archival and retrieval system"), comprising:

detecting a capture time for each of the media objects to be organized (See column 4, lines 30-37, where "capture time" is read on "when image was taken").

Bhandari et al. does not teach sorting the media objects in based upon the capture time to generate a sorted list; comparing the capture time of each of the media objects with a reference value; and storing the media objects in the database based upon the comparison.

Loui et al., '99, teaches a software system for automatic albuming of consumer pictures (See abstract), in which he teaches sorting the media objects in based upon the capture time to generate a sorted list (See page 160, section 2.1, lines 3-7); comparing the capture time of each of the media objects with a reference value (See page 160, section 2.1, paragraph 1, lines 3-27); and
storing the media objects in the database based upon the comparison (See page 160, section 2.1, paragraph 1, lines 3-4).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include sorting the media objects in based upon the capture time to generate a sorted list; comparing the capture time of each of the media objects with a reference value; and storing the media objects in the database based upon the comparison.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al., '99, because sorting the media objects in based upon the capture time to generate a sorted list; comparing the capture time of each of the media objects with a reference value; and storing the media objects in the database based upon the comparison would create and develop a software system or application to enable the automatic organization and albuming of consumer images (See Loui et al., '99, page 159, motivation section, lines 37-39).

As to claim 36, Bhandari et al. as modified, teaches determining whether the capture time of the each of the media objects is within a predetermined time period from the reference value (See Loui et al., '99, page 160, section 2.1 System Features, lines 3-10); and wherein the storing step comprises grouping at least one of the media objects into a collection when the capture time of the at least one of the media objects the media objects is within the predetermined time period from the reference value (See Loui et al., '99, page 160, section 2.1 System Features, lines 3-10; also see page 160, section 1. Event clustering, lines 3-7).

As to claim 37, Bhandari et al. as modified, teaches selecting a representative media object from the at least one of the media objects grouped in the collection for use as a user interface (See Bhandari et al., column 7, lines 49-55; also see Loui et al., '99,

page 159, abstract section, lines 9-16; also see page 161, section 2.2 Software Architecture, lines 41-45).

As to claim 38, Bhandari et al. as modified, teaches repeating the comparing step, the storing step and the selecting step for each of the media objects in the sorted list (See Loui et al., '99, page 159, abstract section, lines 9-16).

As to claim 39, Bhandari et al. as modified, teaches the setting a reference value to a predetermined value (See Loui et al., '99, page 160, section 2.1, 1. Event Clustering, lines 17-25); determining whether the capture time of a first one of the media objects in the sorted list is within a predetermined time period from the reference value (See Loui et al., '99, page 160, section 2.1 System Features, lines 3-10; also see section 2.1, 1. Event Clustering, lines 17-25); grouping the first one of the media objects into a collection when the capture time of the first one of the media objects is within the predetermined time period from the reference value (See Loui et al., '99, page 160, section 2.1 System Features, lines 3-10; also see page 160, section 2.1, 1. Event Clustering, lines 17-25); updating the reference value to the capture time of the first one of the media objects in the sorted list to generate an updated reference value; and repeating the determining step, the grouping step and the updating step for each of the media objects in the sorted list (See Bhandari et al., column 7, lines 49-55; also see Loui et al., '99, page 159, abstract section, lines 9-16).

As to claim 40, Bhandari et al. as modified, teaches creating a new collection when the capture time of any one of the media objects from the sorted list is not within the predetermined time period from the updated reference value (See Bhandari et al., column 7, lines 36-41).

As to claim 41, Bhandari et al. as modified, teaches selecting a representative media object from the collection and from each new collection for use as a user interface (See Loui et al., '99, page 159, abstract section, lines 9-16; also see page 161, section 2.2 Software Architecture, lines 41-45).

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhandari et al. (U.S. Patent No. 5,865,464), in view of publication, "Automatic Image Event Segmentation and Quality Screening for Albuming Applications," by Loiu et al. published by IEEE International Conference on multimedia and Expo, 2000 (hereinafter, Loui et al. '00).

As to claim 11, Bhandari et al. does not teach wherein the comparing step comprises: comparing the date on which the captured media object was captured with entries in a global date book.

Loui et al. '00, teaches automatic image event segmentation and quality screening for albuming applications (See abstract), in which he teaches wherein the comparing step comprises: comparing the date on which the captured media object was captured with entries in a global date book (See page 1126, section II. Image Event

Segmentation, lines 31-36; also see page 1126, section B. Block-based Histogram Correlation, lines 7-15).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include wherein the comparing step comprises: comparing the date on which the captured media object was captured with entries in a global date book.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al. '00, because wherein the comparing step comprises: comparing the date on which the captured media object was captured with entries in a global date book would help people organize their pictures so that they will be able to convey their story effectively (See Loui et al. '00, page 1125, section I. Introduction, lines 9-11).

10. Claim 28, is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhandari et al. (U.S. Patent No. 5,865,464), in view of Loui et al., '99, as applied to claims 10, 27, 35-41 and 46 above, and further in view of publication, "Automatic Image Event Segmentation and Quality Screening for Albuming Applications," by Loiu et al. published by IEEE International Conference on multimedia and Expo, 2000 (hereinafter, Loui et al. '00).

As to claim 28, Bhandari et al. as modified, still does not teach comparing the date on which the captured media object was captured with entries in a global date book.

Loui et al. '00, teaches automatic image event segmentation and quality screening for albuming applications (See abstract), in which he teaches comparing the date on which the captured media object was captured with entries in a global date book (See page 1126, section II. Image Event Segmentation, lines 31-36; also see page 1126, section B. Block-based Histogram Correlation, lines 7-15).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Bhandari et al., to include comparing the date on which the captured media object was captured with entries in a global date book.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Bhandari et al., by the teachings of Loui et al. '00, because comparing the date on which the captured media object was captured with entries in a global date book would help people organize their pictures so that they will be able to convey their story effectively (See Loui et al. '00, page 1125, section I. Introduction, lines 9-11).

Response to Arguments

11. Applicant's arguments filed on May 19, 2005, with respect to the rejected claims in view of the cited references have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to Managing Media Objects in a database in general:

U.S. Patent No. 6,636,648 to Loui et al., for disclosing albuming method with automatic page layout.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mellissa M. Chojnacki whose telephone number is (571) 272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 4, 2005
Mmc

SAM RIMELL
PRIMARY EXAMINER